

Andrew C. Lauersdorf, OSB #980739
E-mail: acl@mlrlegalteam.com
Janis C. Puracal, OSB #132288
Email: jcp@mlrlegalteam.com
Christine A. Webb, OSB #184744
Email: caw@mlrlegalteam.com
MALONEY LAUERSDORF REINER, PC
1111 E. Burnside Street, Ste. 300
Portland, OR 97214
Telephone: (503) 245-1518
Facsimile: (503) 245-1417
Attorneys for Defendant R.S.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

CENTURY SURETY COMPANY,

Plaintiff,

v.

AGEAN, INC. dba PALLAS CLUB, an
Oregon corporation; R.S., an
individual,

Defendants.

Civil No. 3:18-cv-02077-BR

DEFENDANT R.S.'S MOTION
FOR EXTENSION OF TIME TO
FILE RESPONSIVE PLEADING

I. LR 7.1 CERTIFICATION

Counsel for Defendant R.S. certifies that before filing this motion, a good faith effort was made to resolve the issues raised in this motion. On January 31, 2019, counsel for R.S. sent an email to counsel for Plaintiff Century Surety Company requesting that Century agree to an extension of time to file a

responsive pleading.¹ Century agrees to a one-week extension of time, but objects to a 30-day extension.² Because the parties were unable to resolve the issues addressed in this motion, R.S. requests authorization from the court for a 30-day extension.³

II. RELIEF REQUESTED

Defendant R.S. requests that the court grant a 30-day extension of time to file an answer or responsive pleading in this case. This is R.S.'s first request for an extension. Plaintiff Century does not oppose a one week extension, but does oppose a 30-day extension.⁴

III. AUTHORITY

Pursuant to LR 16-3, the court has authority to extend the deadline to file a responsive pleading for good cause shown. R.S., here, requests that the court authorize a 30-day extension in this case. This is R.S.'s first request for an extension.

R.S. is a victim of child sex trafficking. She filed a lawsuit against the strip clubs and exotic magazine where she was trafficked as a minor (the "Underlying Action").⁵

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¹ Declaration of Janis C. Puracal in Support of R.S.'s Motion for Extension of Time to File Responsive Pleading ("Puracal Decl.") ¶ 2.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ Complaint in Underlying Action [Dkt. No. 1-1].

Century provided insurance to Defendant Agean, Inc. dba Pallas Club, one of the strip clubs where R.S. was trafficked and a defendant in the Underlying Action.⁶ Century filed this declaratory judgment action on December 3, 2018, against Agean and R.S. in order to avoid the duty to defend or indemnify Agean in the Underlying Action.⁷

R.S. agreed to waive service, and her answer to the complaint is due by February 4, 2019.⁸ R.S., however, intends to file a motion to stay this declaratory judgment action pending resolution of the Underlying Action based on Oregon law.⁹

R.S. intends to confer with counsel for Century to determine whether the parties can agree to a voluntary stay.¹⁰ R.S. seeks a 30-day extension of time to file a responsive pleading in order to confer with counsel for Century and file a motion if the parties cannot agree to a voluntary stay.

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⁶ Complaint ¶ 17 [Dkt. No. 1].

⁷ *Id.*

⁸ Puracal Decl. ¶ 3.

⁹ *Id.* ¶ 4.

¹⁰ *Id.*

IV. CONCLUSION

Based upon the foregoing, R.S. requests a 30-day extension of time to file a responsive pleading or motion in this case. The new deadline would be March 4, 2019.

DATED: February 1, 2019

MALONEY LAUERSDORF REINER, PC

By /s/Janis C. Puracal

Andrew C. Lauersdorf, OSB #980739

Janis C. Puracal, OSB #132288

Christine A. Webb, OSB #184744

Telephone: 503.245.1518

Attorneys for Defendant R.S.